

5

Notice of Allowability

Application No.

10/615,845

Examiner

SOPHIA VLAHOS

Applicant(s)

SMITH, STERLING

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/12/2007.
2. ☒ The allowed claim(s) is/are 1-4, 6-13, 15 (renumbered as 1-4, 5-12, 13 respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Bednarek (32,329) on 9/21/2007.

The application has been amended as follows:

In the claims (9/12/2007):

Claim 1, insert phrase --- wherein said means for adjusting said period control comprises: an offset generator for generating a period offset in response to said output clock and an adder for generating a period offset in response to said output clock; and an adder for generating said adjusted period control word by means of adding said period offset to said period nominal --- before phrase "and a filter for substantially filtering out jitter from said output clock".

Cancel claim 5.

Claim 7, insert phrase --- wherein said means for adjusting said period control comprises: an offset generator for generating a period offset in response to said output clock and an adder for generating a period offset in response to said

Art Unit: 2611

output clock; and an adder for generating said adjusted period control word by means of adding said period offset to said period nominal. --- after phrase " means for adjusting said period control word in response to said output signal, wherein the period control word is within a period range with reference to a period nominal"

Cancel claim 14.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

The prior art of the record fails to teach or suggest alone or in combination: A digital spread spectrum frequency synthesizer, comprising: means for adjusting said period control word in response to said output clock; wherein said means for adjusting said period control comprises: an offset generator for generating a period offset in response to said output clock and an adder for generating a period offset in response to said output clock; and an adder for generating said adjusted period control word by means of adding said period offset to said period nominal as recited in claim 1 and in combination with other elements of the claim.

Claims 1-4 are allowed.

The prior art of the record fails to teach or suggest alone or in combination: A digital spread spectrum frequency synthesizer, comprising: means for adjusting

Art Unit: 2611

said period control word in response to said output signal wherein said means for adjusting said period control comprises: an offset generator for generating a period offset in response to said output clock and an adder for generating a period offset in response to said output clock; and an adder for generating said adjusted period control word by means of adding said period offset to said period nominal; as recited in claim 7 and in combination with other elements of the claim.

Claims 7-13 are allowed.

Claims 6 and 15 were previously allowed (see reasons for the indicated allowable subject matter of Office Action mailed on 6/12/2007).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pitzer et. al.. (U.S. 6,876,710)

Art Unit: 2611

Mathe et. al., (U.S. 5,825,253)

Huff et. al., (U.S. 6,961,400)

Adachi et. al., (U.S. 6,717,998)

Riley (U.S. 4,965,531)

Miyabe (U.S. 6,559,698)

Filiol et. al., (U.S. 6,515,553)

Riley (U.S. 6,236,703)

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SOPHIA VLAHOS whose telephone number is 571 272 5507. The examiner can normally be reached on MTWRF 8:30-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammed Ghayour can be reached on 571 272 3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SV

9/24/2007


MOHAMMED GHAYOUR
SUPERVISORY PATENT EXAMINER